

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In Re: CANNTRUST HOLDINGS INC.
SECURITIES LITIGATION

No. 1:19-cv-06396-JPO

Judge J. Paul Oetken

**ORDER APPROVING ALLOCATION AND DISTRIBUTION SCHEME
IN CONNECTION WITH U.S. CLASS ACTION**

THIS MATTER having come before the Court for a hearing on December 2, 2021, on the motion of Lead Plaintiffs Granite Point Master Fund, LP and Granite Point Capital Scorpion Focused Ideas Fund (collectively, “**Lead Plaintiffs**”) for final approval of proposed class action settlements as they relate to the above-captioned litigation (the “**U.S. Class Action**”) and approval of the proposed Allocation and Distribution Scheme (“**A&DS**”) for the proceeds of the settlements; the Court having considered all papers filed and proceedings had herein and otherwise being fully informed;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. This Order incorporates by reference the definitions in the Court’s Order Granting Preliminary Approval of Class Action Settlements, Approving Form and Manner of Notice, and Setting Date for Hearing on Final Approval of Settlements, entered September 2, 2021 (the “**Preliminary Approval Order**”), ECF No. 153.

2. Pursuant to and in compliance with Rule 23 of the Federal Rules of Civil Procedure, this Court hereby finds and concludes that due and adequate notice was directed to members of the U.S. Settlement Class who could be identified with reasonable effort, advising them of the A&DS and of their right to object thereto, and a full and fair opportunity was accorded to members of the U.S. Settlement Class to be heard with respect to the A&DS.

3. There has been one objection to the A&DS. On November 12, 2021, the Court received the objection of Myron V. Guidry. ECF No. 160. Mr. Guidry objects to the A&DS provision that “purchases made after 9/17/19 are not eligible for recovery because investors were allegedly disclosed the full truth about CannTrust. I believe the full truth was not disclosed to investors and still has not been regarding the allegations against CannTrust.” *Id.* The Court has considered the objection, the allegations in Lead Plaintiffs’ Consolidated Class Action

Complaint, the provisions of the A&DS, that the A&DS was crafted by Lead Counsel and Ontario Class Action Counsel in consultation with Lead Plaintiffs' consulting damages expert, and that the A&DS was approved by the Canadian Court in the CCAA Sanction Order on July 16, 2021. The A&DS, as it relates to the Settlements in this U.S. Class Action, provides a fair and reasonable method to allocate the Class Compensation Fund. Accordingly, Mr. Guidry's objection to the A&DS is overruled. Mr. Guidry's objection concerning an African American subclass is addressed in the Court's accompanying U.S. Final Judgment as to Settling Defendants.

4. The Court hereby finds and concludes that the A&DS, in connection with the Settlements in this U.S. Class Action, provides a fair and reasonable basis upon which to allocate the Class Compensation Fund. The Court hereby finds and concludes that the A&DS is, in all respects, fair, reasonable, and adequate and the Court hereby approves the A&DS.

DATED this 2nd day of December, 2021

BY THE COURT:



J. PAUL OETKEN
United States District Judge